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WASHINGTON FEDERATION OF STATE EMPLOYEES
Summary of The Tentative Master Agreement for General Government
2009-2011
(as re-negotiated April 2, 2009, and May 8, 2009)

The 2009-2011 contract you ratified in September 2008 was re-negotiated in April 2009 because of the economic crisis. The health care article was re-negotiated in May 2009 after the Legislature approved funding in the state budget.

This summary explains those changes. **NONE OF THE NON-ECONOMIC PROVISIONS OF THE CONTRACT WERE DIMINISHED FROM THE ORIGINAL TENTATIVE AGREEMENT RATIFIED IN SEPTEMBER 2008; SOME WERE IMPROVED.** This summary also includes the most significant provisions negotiated last fall that did not change. This is the Tentative Master Agreement for General Government between the Washington Federation of State Employees bargaining units and the State of Washington, on behalf of the individual agencies. It does not cover every article or every provision. Included in this mailing is the Memorandum of Understanding summarizing the changes from the re-negotiation – the economic articles taken out because of financial infeasibility and gains made in non-economic articles. For more details, please refer to the entire Tentative Agreement document, as re-negotiated in April and May 2009; it is posted on the WFSE website (www.wfse.org > Contract Center).

PRESERVED GAINS MADE LAST FALL

The General Government Bargaining team preserved important gains you made in the first round of negotiations that ended in September 2008, including:

- **the current formula where you pay 12% of your health insurance premium costs and management picks up 88%.**
- **one new personal leave day in each year of the agreement--with the caveat that it has to be cost-neutral for positions requiring backfill;**
- **overtime after 8 for those in the Department of Transportation Highway Maintenance Bargaining Unit and employees who do inspections in the Fruit/Vegetable Inspection Bargaining Unit within the state Department of Agriculture;**
- **and the new article on Workplace Behavior that came from your campaign against bullying.**

MAJOR HIGHLIGHTS OF WHAT CHANGED IN THE 2009 RE-NEGOTIATIONS

Here is what changed in the 2009 re-negotiations brought on by the economic crisis:

• ECONOMICS:

The global economic crisis transcended the economic package the state and union agreed on last fall. The parties acknowledged that the economic terms agreed to in September 2008, including across-the-board raises, salary survey adjustments, classification adjustments and workers' comp payment allowances for high-risk jobs, are not funded based upon the state budget director's December 2008 finding that those terms were not economically feasible. Changes were made to Article 42 and appendices on the salary schedule and assignment pay to reflect no increases.

However, under a memorandum of understanding (MOU), if the economy improves during the 2009-2011 biennium, the Federation and state can re-visit the economic terms of the contract agreed to in September 2008. And if those terms are not implemented by June 30, 2011, "the need for such term(s) shall be considered as having already been established when the parties negotiate for a successor collective bargaining agreement" (2011-2013). To view this full MOU, log onto www.wfse.org > Contract Center.

• HEALTH CARE.

The re-negotiated contract retains the current formula where you pay 12% of your premium costs and management picks up 88%. However, the section on wellness incentives came out. That was the only change.

NEW GAINS FROM THE 2009 RE-NEGOTIATIONS:

- **HOURS OF WORK.** Under Article 6.3A2, the employer will consider an employee's preference when adjusting the employee's work schedule.
- **VACATION LEAVE.** Under Article 11.4, accrual in the fifth, sixth and seventh years of service will be based on TOTAL years of employment, not the current continuous language. This brings the contract in line with work rules for unrepresented employees.
- **WORK RELATED INJURY OR ILLNESS.** Article 19 was changed to reflect a 2007 law change allowing injured workers to take both sick leave and timeloss at the same time.
- **UNION-MANAGEMENT COMMUNICATION COMMITTEES.** Under Article 37.4, the Federation and agencies can document mutual understandings reached at the UMCC table, a move that puts some teeth into this article.
- **SHARED SERVICES.** Under a new Article 45.5, the union can suggest ways that one agency may expand operations to provide services to other state agencies—a way to mitigate budgetary

constraints.

- **WORKLOAD.** The memorandum of understanding dealing with workload concerns was extended to June 30, 2010.

MAJOR HIGHLIGHTS OF THE GAINS YOU RETAINED FROM THE ORIGINAL SEPTEMBER 2008 TENTATIVE AGREEMENT

- **Investment in your future—new longevity step.** In these tough economic times, this contract includes an agreement that those who have been at the new Step L for five years would move to a new Step M after July 1, 2011.
- **Two additional days off.** The contract includes one additional personal leave day for each year of the contract—now with the caveat that it has to be cost-neutral for positions requiring backfill. Also, school year employees who work at the School for the Deaf or at the School for the Blind may not use their personal leave during a school closure.
- **Health care funding:** Your team fought off management proposals to make you pay a higher share of your premiums. The contract continues the current formula where you pay 12% of your premium costs and management picks up 88%.
- **Other health insurance benefits.** The state agrees to continue to pay 100% of the cost of basic life. Long- term disability and dental insurance coverage remains the same.
- **Contracting out.** The tentative agreement includes more procedural protections and more rights for the union and employees as we battle against privatization.
- **Bullying:** Your full-court campaign to win more protections against workplace bullying won a tougher Non-Discrimination article and an innovative new article to address inappropriate “workplace behavior.”
- **Workload.** The contract includes a memorandum of understanding creating a process to address employee workload issues, including recommendations prioritizing tasks and methods to accomplish tasks in employees’ workload.
- **Leave/Shared Leave/Misc. Paid Leave:** Additional language was added to the contract to address law changes for those called into service during a state of emergency and also for victims of domestic violence, sexual assault and stalking.

DURATION

The term of the contract is, July 1, 2009 through June 30, 2011, to correspond with the State’s

biennial budget, as required by law.

ECONOMIC ISSUES PRESERVED

Leaves and Holidays Preserved or Enhanced. Two additional personal leave days, one in each year of the contract-- now with the caveat that it has to be cost-neutral for positions requiring backfill. Also, school year employees who work at the School for the Deaf or at the School for the Blind may not use their personal leave during a school closure. The rules and practices regarding the accrual and use of vacation leave, sick leave, holidays, miscellaneous leave, family and medical leave, shared leave, and leave without pay are all preserved. Additional language has been developed to cover new laws concerning military service leave, care for family member's recovery from injury in the military, leave before deployment, and domestic violence leave. Employees may donate excess vacation leave they cannot take before an approaching anniversary date. Clarifying language that sick leave may be taken to care for a minor child/dependent child with a health condition requiring treatment or supervision.

Bereavement Leave. Employees continue to be entitled to three days (3) of paid bereavement leave and may take more days with the approval of the employer.

Parking. Parking will remain the same. If there are any proposed changes to parking issues, it is a mandatory subject of bargaining and negotiations will be conducted under the Mandatory Subjects article.

NON-ECONOMIC ISSUES PRESERVED

Contracting Out. Requirements for notification have been outlined in the contract. It retains this issue as a mandatory bargaining subject while compelling management to include sufficient information in their notification to help us develop our responses to contracting out proposals.

Mandatory Subjects. Prior to making any change in working conditions, management has the duty to bargain.

Workplace Behavior. This is a new article to address workplace behavior. The employee has the right to demand that the agency investigate allegations of bullying or other inappropriate conduct. The agency is required to inform the union of the results. The intent of the article is to address inappropriate behavior, and gather statistical information regarding frequency and effectiveness of employer response to complaints.

Union Representation. Members of the bargaining units will continue to have the right to union representation at all levels on any matter adversely affecting their conditions of employment. Union stewards will continue to be able to investigate, prepare for, and attend all meetings and hearings regarding grievances and disciplinary actions on work time.

Seniority. The definition of seniority remains the same and will continue to be the basis for both layoff and recall.

Hours of Work and Overtime. Expands overtime after eight hours for those in the DOT Highway Maintenance Bargaining Unit, and employees who do inspections in the Fruit/Vegetable Inspection Bargaining Unit within the Washington State Department of Agriculture.

Training and Education. Union stewards will continue to be released for a four (4) hour training provided by WFSE on this new contract, dates and times to be arranged with the Employer. The Union will be able to speak to new employee orientations to provide information about the Union and this contract. Where new employee orientation is conducted online, the Union will provide orientation packages to new employees.

Union-Management Communication Committees. The tentative agreement puts more teeth into this article. The UMCC article sets up a regular meeting schedule and includes language creating a collaborative process—including possible resolutions-- to improve the effectiveness of the union-management communications committee process. Additional committees are established for DOT and Parks to deal with agency unique situations. Release time for travel and preparation time for Union Management Communication Committee added to the contract. Also, from the 2009 re-negotiations, the Federation and agencies can document mutual understandings reached at the UMCC table, a move that puts some teeth into this article.

Union Security. The contract continues a union security provision, which will require employees in all bargaining units to pay dues or an agency fee to the Union as a condition of continuing employment.

Layoff and Recall. Seniority continues to be the basis for layoff and recall. Skills and abilities are defined.

Classification. Maintains language that a position description will be created and maintained for each position and will list the primary duties and responsibilities assigned to, the essential functions of, and the skills and abilities required for the position. Employees performing higher-level duties for six (6) months will not have to compete for the position and will remain in the position at the higher rate of pay. Notification of changes to a job class will be communicated to the union before such changes are made to provide input from the affected employees through our classification section. And the tentative agreement includes more explicit notification to the union of proposed classification changes.

Union Activities. Continues release time for union stewards for representation purposes i.e. informal grievance resolution, alternative dispute resolution, mediation and arbitration. Allows distribution of union material. Added paid release time for mid-term bargaining for Demands to Bargain.

Family and Medical Leave. Revised to include new statutes regarding military service provisions. FMLA may run concurrently with work related injury covered by workers' compensation upon request of the employee.

Personnel Files. Performance evaluation will be removed from an employee's personnel file after six (6) years under specific criteria. In addition to the three (3) year removal of disciplinary actions, those held for six (6) years will be removed if circumstances warrant removal.

Bid System. The Special Commitment Center and the Secure Community Transition Facility will be considered one (1) institution. The article allows employees to bid between the facilities. The article is also expanded to cover the North Cascades Gateway Center (Department of General Administration) in Sedro Woolley. For all with bid systems, permanent part-time who have completed 1,040 hours may bid on full time positions within their classification and full-time employees may bid on part-time positions in the same job classification or a lower classification in which they have held permanent status.

Hiring and Appointments. When recruiting for a bargaining unit position, the announcement will be posted for seven (7) calendar days. Clarifying language for in-training positions, trial service and probationary service has been added. The previous MOA from the 2007-2009 contract addressing DSHS employees has been incorporated in this agreement. New language responds to problems with the HRMS system by ensuring that employees in agencies using the Department of Personnel's E-recruiting system will accept and process paper applications.

Natural disasters. In the wake of the devastating December 2007 floods and other weather-related disasters, the tentative agreement allows leave with no loss of pay if a work location is inaccessible, not just non-operational.

Ergonomics. New language allows employees to request an ergonomic assessment of their workstation.

Grievance procedure has been strengthened.

Park rangers/law enforcement. A memorandum of understanding creates a special union-management subcommittee to focus on law enforcement issues of park rangers.

12-month pay at WSSB and WSSD. A committee is created to focus on a procedure to enable a 12-month pay cycle for the School of the Blind and School of the Deaf.

Performance Management. An agreement to explore this issue with DNR via a memorandum of agreement is incorporated in the contract.

DOT uniforms, tools and equipment. A memorandum of understanding creates a special union-management subcommittee to discuss issues related to uniforms, tools and equipment for Department of Transportation employees.

The Team worked hard to keep management from eroding the current protections in the contract and did enhance some existing contract provisions. We encourage you to read the re-negotiated contract on-line at www.wfse.org > Contract Center.

5/11/09